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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 TEAMSTERS LOCAL UNION NO. 117,

11 Plaintiff,

12 v.

13 SYSCO FOOD SERVICES OF SEATTLE,
14 INC., *et al.*,

15 Defendants.

Case No. C05-0113L

ORDER DENYING PLAINTIFF'S
MOTION FOR SANCTIONS

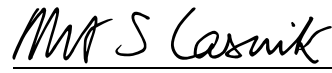
16 This matter comes before the Court on plaintiff's Motion for Sanctions for Defendants'
17 Failure to Serve Initial Disclosures Pursuant to FRCP 26(a)(1) (Dkt. # 45). Plaintiff requests
18 sanctions due to the defendants' failure to submit initial discovery disclosures by the April 7,
19 2005 deadline imposed by the Court. Defendants, who had filed motions to dismiss prior to the
20 April deadline, objected to the submission of initial disclosures and filed motions to stay
21 discovery pending the resolution of their motions to dismiss.

22 Although under most circumstances a pending motion to dismiss is not an appropriate
23 justification for objecting to Rule 26(a) disclosures, sanctions are not appropriate in this
24 instance. As the Court noted at the June 9, 2005 hearing regarding the motions to dismiss, this
25 suit presents unusual facts and complicated legal issues. A stay of discovery was appropriate in
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1 this limited circumstance to allow the parties and the Court to parse the legal and factual issues
2 in order to best focus the discovery process. As a result, plaintiff's Motion for Sanctions for
3 Defendants' Failure to Serve Initial Disclosures Pursuant to FRCP 26(a)(1) (Dkt. # 45) is
4 DENIED.

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6 DATED this 11th day of July, 2005.

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9 Robert S. Lasnik
10 United States District Judge
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